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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,348	09/12/2003	Kim Tempest	23382US01	6748
23446 7590 11/19/2010 MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661				
EXAMINER				
FERNSTROM, KURT				
ART UNIT		PAPER NUMBER		
3711				
MAIL DATE		DELIVERY MODE		
11/19/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KIM TEMPEST, JON MCNAIR LEUPP, CHARLES D.
LOMBINO, and MARION C. BIRON

Appeal 2011-000667
Application 10/661,348
Technology Center 3700

Before DALE M. SHAW, *Division 2 Support Administrator*.

ORDER DISMISSING APPEAL

On April 4, 2008, Appellants filed a Notice of Appeal. On September 7, 2010, Appellants filed a request to reopen prosecution, exercising their option to reopen prosecution in response to a new ground of rejection contained in the Examiner's Answer mailed on July 6, 2010. Per 37 C.F.R. § 41.39(b)(1), this request is treated as a request to withdraw the appeal.

Accordingly, the appeal in this application is dismissed.

Appeal 2011-000667
Application 10/661,348

The application is being returned to the Examiner for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DS/mp

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